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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/872,442	06/01/2001	Joan Raventos	10012815-1	2088

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EXAMINER

SHAH, NILESH R

ART UNIT PAPER NUMBER

2127

DATE MAILED: 03/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/872,442	Applicant(s) RAVENTOS, JOAN	
	Examiner Nilesh Shah	Art Unit 2127	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 November 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-24 and 27-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-24 and 27-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>11/16/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1,2,4-24 and 27-31 are presented for examination.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
3. Claims 1,2,4-24 and 27-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Knapman et al (5,872,971) (hereinafter Knapman) and further in view of Long (6,526,416).
4. As per claim 1, Knapman teaches a system for performing a desired functional service as a transaction utilizing one or more non-transactional resources, said system comprising:
one or more non-transactional resources (col. 10 lines 1-5, col. 5 lines 19-27, col. 6 lines 58-62)
at least one component that defines one or more tasks executable by at least one of

said one or more non-transactional resources (col. 10 lines 1-5, col. 5 lines 19-27, col. 6 lines 58-62).

5. Knapman does not specifically teach a resource manager.

Long teaches a resource manager operable to control execution of said one or more tasks defined by said at least one component as a transaction for service (col. 10 lines 29-45; col. 9 line 65- col. 10 line 5; col. 27 lines 4-27).

6. It would have been obvious to one skilled in the art at the time of the invention was made to combine the teachings of Long and Knapman because Long's use of a resource manager would improve Knapman's system by being able to keep track of each resource thus making the entire system overall more efficient.
7. As per claim 2, Long teaches a system wherein said transaction includes performance of at least one of the services selected from the group consisting of web hosting service, ftp service, database service, software application service, Domain Name Service (DNS), directory service, monitoring service, managing service, monitoring Quality of Service (QoS), usage measurement service, and billing service (fig 1, col. 7 lines 17- 35).
8. As per claim 3, Long teaches a system wherein said transaction includes activation of a service (col. 8 lines 45-60).

9. As per claim 4, Knapman teaches a system comprising:
a plurality of said non-transactional resources, wherein said non-transactional resources are distributed across different platforms (col. 2 lines 8-14).
10. As per claim 5, Long teaches a system wherein said non-transactional resources are resources of an Internet Data Center (fig 1, col. 7 lines 17- 35).
- As per claim 6, Knapman teaches a system wherein said resource manager provides a proxy implementing a transactional protocol for said non-transaction resources (col. 10 lines 1-5, col. 5 lines 19-27, col. 6 lines 58-62).
11. As per claim 7, Long teaches a system wherein said transactional protocol is X/open XA protocol (col. 8 line 65-col. 9 line13).
12. As per claim 8, Long teaches a system wherein said at least one component is a plugin (col. 8 line 65-col. 9 line13).
13. As per claim 9, Long teaches a system wherein said resource manager is communicatively coupled to a message bus (col. 6 lines 26-35).
14. As per claim 10, Long teaches a system wherein said message bus is an EAI bus (col. 6 lines 26-35).

15. As per claim 11, Long teaches a system wherein said resource manager is multi-threaded
(col. 8 lines

16. As per claim 12, Long teaches a system wherein said resource manager represents said
transaction as an object (col. 10 lines 28-45).

17. As per claim 13, Long teaches a system wherein said resource maintains a log of the state
of said object (col. 9 line 63-col. 10 line 10).

18. As per claim 14, Long teaches a system wherein said resource manager is operable in a
plurality of different operational modes, which are definable by said at least one
component (col. 10 lines 28-45).

19. Claim 15 is rejected based on the same rejection for claim 1 above.

20. As per claim 16, Long teaches a method wherein further comprising the step of:
client application requesting said functional service (col. 8 lines 39-42)

21. As per claim 17, Long teaches a method wherein further comprising the step of:

message bus communicatively coupled to said client application receiving said request for said functional service and redirecting said request to one or more proper resource adapters (col. 8 lines 39-42, col. 6 lines 26-35)

22. As per claim 18, Knapman teaches a method comprising:

a plurality of said non-transactional resources, wherein said non-transactional resources are distributed across different platforms (col. 2 lines 8-12).

23. Long teaches a resource manager operable to control execution of said one or more tasks defined by said at least one component as a transaction (col. 10 lines 29-45).

24. As per claim 19, Long teaches a method wherein said resource manager interacts with a transaction manager via transactional protocol (col. 10 lines 28-45)

25. As per claim 20, Long teaches a method further comprising:

said resource manager invoking tasks at said at least one component according to a transactional protocol (col. 8 lines 45-64).

26. As per claim 21, Long teaches a method wherein said transactional protocol is X/open XA protocol (col. 8 line 65-col. 9 line13).

27. As per claim 22, Long teaches a method wherein said at least one component is a plugin component (col. 8 line 65-col. 9 line13).

28. As per claim 23, Knapman teaches a code for receiving a request for performance of a plurality of tasks (col. 10 lines 1-5, col. 6 lines 58-62);
code for controlling one or more non-transactional resources to perform said plurality of tasks as a transaction wherein said code for controlling one or more non-transactional resources includes code for invoking performance of a task by said one or more non-transactional resources. and wherein said code for invoking performance of a task includes code for calling a function defined by a plugin component that is communicatively coupled to said one or more non-transactional resources. (col. 10 lines 1-5, col. 5 lines 19-27, col. 6 lines 58-62);
execution of tasks by one or more non-transactional resources to perform said tasks as a transaction(col. 10 lines 1-5, col. 6 lines 58-62).

Long teaches a resource manager operable to control execution of said one or more tasks (col. 10 lines 29-45).

29. Long teaches a resource manager operable to control execution of said one or more tasks defined by said at least one component as a transaction (col. 10 lines 29-45).

30. As per claim 24, Long teaches a resource manager further comprising:

code for representing said transaction as an object (col. 10 lines 28-45).

31. As per claim 25, Knapman teaches a method wherein said code for controlling one or more non-transactional resources includes code for invoking (Fig.3, col. 20 lines 45-65).

32. As per claim 26, Knapman teaches a method wherein said code for invoking performance of a task includes code for calling a function defined by a plugin component that is communicatively coupled to said one or more non-transactional resources (col. 7 lines 16-27, Fig.3, col. 20 lines 45-65).

33. Claims 27-28 are rejected based on the same rejections as claims 1-2 above.

34. Claims 29-31 are rejected based on the same rejections as claims 1-2 above.

Response to Arguments

35. Applicant's arguments filed 11/12/2004 have been fully considered but they are not persuasive. Applicant states a) Knapman does not teach non-transactional resources b) Long does not teach transaction for activation of a service

36. Examiner respectfully disagrees with applicant's remarks.

As to point a) Knapman teaches both transactional and nontransactional information and how each can be distinctly marked (col. 2 lines 51- 55 col. 9 lines 40-42).

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As to point b) Long teaches a resource manager able to activate a transaction for service (col. 10 lines 35-44; col. 27 lines 4-27).

Conclusion

37. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).
38. A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action
39. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nilesh Shah whose telephone number is 703-305-8105. The examiner can normally be reached on 9-5.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, meng An can be reached on 703-305-9678. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nilesh Shah
Examiner
Art Unit 2127

NS
August 17, 2004


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